

**OFFICIAL WARNING**



**VIOLATION OF FEDERAL REGULATIONS**

CASE NO.

**OH11026**

VIOLATOR

**Customer # 42723**

**Certificate # 31-A-0311( c )**

**David Miller**

ADDRESS (Street, City, State, Zip Code)

**5870 CR 19**

**Millersburg, OH 44654**

The Department of Agriculture has evidence that on or about **December 16, 2010** you or your organization committed the following violation of Federal Regulations:

**9 CFR, SECTION**

**Failure to**

**2.40 (b) (1)**

- Establish and maintain adequate veterinary care programs that include availability of appropriate facilities, personnel, equipment, and services.

(\*Liquid Amoxicillin is not being kept refrigerated. Amoxicillin tablets and CaPhos injectable are both expired.)

**2.40 (b) (2)**

- Establish and maintain adequate veterinary care that includes the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care.

(\*Several dogs have very long toenails.

\*\*Two dogs were noted having very long, matted fur.)

**2.40 (b) (3)**

- Establish and maintain programs of adequate veterinary care to include daily observations and frequent communication with the attending veterinarian to convey information on problems of animal health, behavior, and well-being.

(\*A female Pekingese with no ID and a male Yorkie with Tag #176 both had cloudy, irritated right corneas with excessive discharge.

\*\*Dog #'s 004 and 182 had severe dark discoloration of the teeth with red, swollen gums.

\*\*A female with no ID was limping on her left rear leg.)

**2.50 (a) (1)**

- As a Class "A" dealer, identify by official tag all live dogs held on the premises, purchased, acquired, sold or otherwise disposed of, or removed from premises for delivery to a research facility, exhibitor or dealer, for sale through an auction or to any person as a pet.

(\*There were several adult dogs in both buildings with no form of identification.)

**3.6 (a) (2) (x)**

- Construct and maintain primary enclosures in a manner in which protects the dogs' feet from injury and that do not allow the feet to pass through.

(\*A litter of puppies had their feet passing through the mesh wire flooring.)

**3.11 (a)**

- Remove excreta and food waste from primary enclosures daily, and clean as often as necessary under primary enclosures to prevent excessive accumulation of feces and food waste, prevent soiling of the dogs and cats contained in the primary enclosures, to reduce disease hazards, insects, pests and odors.

(\*There is a strong odor of ammonia in both buildings.

\*\*The washdowns contain excessive accumulations of feces, stains, and grime.

\*\*\*The shavings on the floor are saturated with urine and feces.)

**9 CFR, SECTION****Failure to****3.11 (b)(3)(iii)**

- **Hard surfaces of primary enclosures and food and water receptacles must be sanitized using one of the following methods: Wash soiled surfaces with appropriate detergent solutions and disinfectants, or a combination detergent/disinfectant product to remove all organic material and mineral buildup.**

**(\*Most hard surfaces have a heavy accumulation of dirt, dust, grime, fur, and organic material buildup.)**

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS Official.

APHIS OFFICIAL (Name and Title) <b>[REDACTED] Deputy Administrator, AC</b>	OFFICE ADDRESS: <b>4700 River Road, Riverdale, MD 20737</b>
DATE ISSUED <b>JAN 10 2012</b>	TELEPHONE NO. AC <b>(301) 734-4980</b>
FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)	DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO:  
**7011 1150 0002 0712 0835**